

# EXHIBIT A



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## 1916-CV31081 - TREVOR BASTON V SAINT LUKES PHYSICIAN GROUP ET AL (E-CASE)

<a href="#">Case Header</a>	<a href="#">Parties &amp; Attorneys</a>	<a href="#">Docket Entries</a>	<a href="#">Charges, Judgments &amp; Sentences</a>	<a href="#">Service Information</a>	<a href="#">Filings Due</a>	<a href="#">Scheduled Hearings &amp; Trials</a>	<a href="#">Civil Judgments</a>	<a href="#">Garnishments/ Execution</a>
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☐ Ascending

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|------------|--|
| 01/27/2020 | <input type="checkbox"/> <a href="#">Proposed Order Filed</a><br>No Longer an Issue  |
| 12/17/2019 | <input type="checkbox"/> <a href="#">Case Mgmt Conf Scheduled</a><br>Scheduled For: 02/19/2020; 1:30 PM ; GEORGE EDGAR WOLF; Jackson - Kansas City<br><input type="checkbox"/> <a href="#">Notice of Hearing Filed</a><br>Notice of Case Management Conference   |
| 12/09/2019 | <input type="checkbox"/> <a href="#">Correspondence Sent</a><br>Letter to attorney need new MSPOS  |
| 12/02/2019 | <input type="checkbox"/> <a href="#">Motion Special Process Server</a><br>Motion for Special Process Server; Electronic Filing Certificate of Service.<br>Filed By: SARAH LIESEN<br>On Behalf Of: TREVOR BASTON  |
| 11/21/2019 | <input type="checkbox"/> <a href="#">Correspondence Sent</a><br>Letter to attorney need MSPOS  |
| 11/14/2019 | <input type="checkbox"/> <a href="#">Request for Jury Trial Filed</a><br><input type="checkbox"/> <a href="#">Filing Info Sheet eFiling</a><br>Filed By: ALEXANDER EDELMAN<br><input type="checkbox"/> <a href="#">Note to Clerk eFiling</a><br>Filed By: ALEXANDER EDELMAN<br><input type="checkbox"/> <a href="#">Pet Filed in Circuit Ct</a><br>Petition for Damages; Ex A -- Charge of Discrimination; Ex B -- Charge of Discrimination; Ex C -- Right to Sue; Ex D -- Right to Sue; Ex E -- Right to Sue.<br>On Behalf Of: TREVOR BASTON<br><input type="checkbox"/> <a href="#">Judge Assigned</a> |

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[Return to Top of Page](#)

Released 11/25/2019

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY, MISSOURI**

TREVOR BASTON	)	
	)	
Plaintiff,	)	
v.	)	
	)	
ST. LUKES PHYSICIAN GROUP, INC.	)	
CSC-LAWYERS INCORPORATING	)	
SERVICE COMPANY	)	
221 Bolivar Street	)	
Jefferson City, MO 65101	)	
	)	
	)	Case No.
AND	)	
	)	
SAINT LUKE'S HEALTH SYSTEM, INC.	)	
CSC-LAWYERS INCORPORATING	)	
SERVICE COMPANY	)	
221 Bolivar Street	)	
Jefferson City, MO 65101	)	
	)	REQUEST FOR JURY TRIAL
	)	
	)	
Defendant.	)	

**PETITION FOR DAMAGES**

COMES NOW, Plaintiff Trevor Baston (hereinafter "Plaintiff") by and through his undersigned counsel and for his Petition for Damages against Defendant St. Luke's Physician Group, Inc. (hereinafter "Defendant St. Luke's Physician Group") and Defendant Saint Luke's Health System, Inc. (hereinafter "Defendant Saint Luke's Health System") (hereinafter, collectively, "Defendants"), alleges and states as follows:

**Table of Claims**

<u>CLAIM</u>	<u>CASE TYPE</u>	<u>PAGE NO.</u>
I. Race Discrimination, MHRA	TJ	12
II. Color Discrimination, MHRA	TJ	13

III. Retaliation, MHRA	TJ	14
IV. Sex Discrimination, MHRA	TJ	16
V. Race Discrimination, Title VII	TJ	17
VI. Color Discrimination, Title VII	TJ	19
VII. Retaliation, Title VII	TJ	20
VIII. Sex Discrimination, Title VII	TJ	21

### **Parties**

1. Plaintiff is a citizen of the United States, residing in Kansas City, Jackson County Missouri.

2. Defendant St. Luke's Physician Group is, and at all times pertinent to this Petition was, a domestic nonprofit corporation incorporated in Missouri.

3. Defendant Saint Luke's Health System, Inc. is, and at all times pertinent to this Petition was, a foreign nonprofit corporation with a home state of Kansas and which operated under the laws of, and was registered with, the State of Missouri.

### **Jurisdiction and Venue**

4. This is a discrimination and retaliation lawsuit based upon and arising under the Missouri Human Rights Act, Mo. Rev. Stat. § 213.010 *et seq.* ("MHRA") and Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* ("Title VII").

5. This Court has jurisdiction and venue over all factual and legal matters relevant to this cause of action.

6. The unlawful acts and practices set forth below were committed within Jackson County, Missouri.

7. Plaintiff was an employee of Defendant St. Luke's Physician Group and Defendant Saint Luke's Health System, Inc. within the meaning of MHRA and Title VII.

8. Defendant St. Luke's Physician Group is an "employer" within the meaning of the MHRA and Title VII.

9. Defendant Saint Luke's Health System, Inc. is an "employer" within the meaning of the MHRA and Title VII.

10. At all relevant times, Defendant St. Luke's Physician Group has maintained and operated a place of business in various cities within the State of Missouri.

11. At all relevant times, Defendant Saint Luke's Health System, Inc. has maintained and operated a place of business in Kansas City, Jackson County, Missouri.

12. At all relevant times, the location where the high-level officers of Defendant Saint Luke's Health System, Inc. direct, control, and coordinate its activities is located in Kansas City, Jackson County, Missouri.

13. Jurisdiction and venue are proper in Jackson County, Missouri, pursuant to Mo. Rev. Stat. §§ 508.010 and 213.111(1), (2).

### **Administrative Procedure and Procedural Posture**

14. On or about March 18, 2019, Plaintiff timely filed a Charge of Discrimination against Defendants with the Missouri Commission on Human Rights ("MCHR") and the Equal Employment Opportunity Commission ("EEOC") alleging race and color discrimination, sex discrimination and retaliation. (Attached hereto as Exhibit A and incorporated herein by reference as if fully set forth herein).

15. On or about August 16, 2019, Plaintiff filed a second charge of discrimination with the EEOC and the MCHR alleging race and color discrimination, sex discrimination and retaliation. (Attached hereto as Exhibit B and incorporated herein by reference as if fully set forth herein).

16. On or about, August 16, 2019, the EEOC issued to Plaintiff a Notice of Right to Sue (Attached hereto as Exhibit C and incorporated herein by reference as if fully set forth herein).

17. On or about September 16, 2019, the Missouri Commission on Human Rights (“MCHR”) issued to Plaintiff a Notice of Right to Sue (Attached hereto as Exhibit D and incorporated herein by reference as if fully set forth herein).

18. On or about September 11, 2019, the EEOC issued to Plaintiff a Notice of Right to Sue. (Attached hereto as Exhibit E and incorporated herein by reference as if fully set forth herein).

19. The aforesaid Charges of Discrimination provided the EEOC and MCHR sufficient opportunity to investigate the full scope of the controversy between the parties and, accordingly, the sweep of this judicial complaint may be and is as broad as the scope of the EEOC and MCHR investigation of Plaintiff’ claims and the involved parties, which could reasonably be expected to have grown out of the Charge of Discrimination.

20. Through the filing of Plaintiff’ Charges of Discrimination, Defendants were afforded notice of Plaintiff’s claims and the opportunity to participate in voluntary compliance.

21. Plaintiff has satisfied all private, administrative and judicial prerequisites to the institution of this action.

### **General Allegations Common to All Counts**

22. Plaintiff is African American.

23. Plaintiff is male.

24. Plaintiff’s skin color is darker than that of many African Americans.

25. Plaintiff began employment with Defendants on or about May 29, 2017 as a medical assistant.

26. Plaintiff did not have any issue with his employment until approximately August of 2017 when Lynsey Magner became his manager.

27. After Magner became his manager, Plaintiff was been subjected to severe and pervasive harassment because of his race, color, and sex.

28. While she was his supervisor, Magner consistently told Plaintiff to put his cell phone away, even when it was sitting on the desk and not being used by Plaintiff, but Magner would watch videos and look at Facebook picture on the phones of other employees who were Caucasian.

29. Magner also told another African American employee, Tina, to put her cell phone away.

30. Plaintiff asked Magner why she came to his desk and asked him to put his phone away but watched videos with other employees who were Caucasian.

31. Magner just shook her head and walked away without answering his question.

32. About a month after this, Magner gave Plaintiff a bad review which prevented him from getting a raise.

33. Upon information and belief, Magner gave Plaintiff the bad review not because of his performance, but because of Plaintiff's race and because of his complaint of discrimination.

34. Plaintiff made a complaint about this discriminatory action and his review was changed, but only after raises were already given out, so Plaintiff still did not receive a raise.

35. In or around June of 2018, Magner gave Plaintiff a final written warning for accessing his own medical records.

36. Plaintiff informed Magner that Plaintiff did not recall doing that and she told him that compliance said it happened.

37. Plaintiff has seen two other employees, Christi and Jennifer, who are both Caucasian who are supervised by Magner, access their own medical records.

38. Upon information and belief, neither Christi nor Jennifer were given a final written warning by Magner .

39. When Plaintiff told Magner that Plaintiff had seen these other employees access their records before she told him that it was a random audit.

40. Around August 2018, Plaintiff reported in a survey that he felt there were racial inequalities at the office and that he believed Defendants needed to have a diversity training.

41. Plaintiff also told Magner before Plaintiff went out on shoulder surgery, around September of 2018, that Plaintiff felt there was some racial inequality and Plaintiff needed to discuss it with Magner when Plaintiff got back from surgery.

42. When Plaintiff returned from surgery in December of 2018, Magner was no longer in his department and had been moved to another position.

43. In January 2019, Plaintiff was also harassed by another employee, Jill Strauser, who repeatedly called Plaintiff “boy.”

44. Plaintiff explained to her that referring to a black man as “boy” is offensive and asked her to please call him by his name. Strauser responded “you don’t know what you are talking about boy, be quiet boy.”

45. Strauser continuing to say this repeatedly after Plaintiff had asked her not to, made it clear to Plaintiff that Strauser was doing this on purpose to create a racially hostile environment.

46. Plaintiff reported this to his manager, Carol Everett and Plaintiff said he did not appreciate being called “boy” and explained to her how this was offensive to an African American man.



47. Everett said Plaintiff was looking at it incorrectly and that Strauser did not mean that.

48. Plaintiff told Everett he felt like it was racially harassing but Everett said that there was nothing she could do about it.

49. Defendants never took any actions to address the racial harassment to which Plaintiff was being subjected.

50. Around February of 2018, there was bad weather, and several people did not come in to work because of this.

51. Plaintiff's door locks were frozen shut and Everett sent an email to everyone at the office stating that Plaintiff was not coming in to work because of his door locks.

52. Everett did not write the reason the Caucasian employees who called in to work were not coming in to work.

53. When Plaintiff came in the next day, the Caucasian front desk employee, Cama Banawart, mocked him about this saying "I can't believe you could not get your doors unlocked, you are such a pansy."

54. Plaintiff told her this was no appropriate to say, but she responded again "you are a pansy."

55. Plaintiff reported to Everett that he felt like this was inappropriate.

56. Everett said that Banawart said she did not make this comment and Defendants did nothing to address this hostile work environment.

57. Plaintiff also witnessed Banawart call another African American employee a racially offensive term, "Aunt Jemima," and the employee reported this but Defendants did nothing to address the racially hostile work environment.

58. In March of 2019, Tara Collins, a Caucasian nurse practitioner, repeatedly degraded Plaintiff, stating Plaintiff could not do his job and stated Plaintiff did not know what Plaintiff was talking about when he was training a new employee.

59. The next day, Collins came up to Plaintiff while he was training a new employee on the computer, stuck a container of urine in his face and said, “take this downstairs.”

60. Collins had no gloves on and there was no protective covering on the urine which was against policy.

61. Personal protective equipment, or PPE, was required when dealing with “labs” such as the urine sample Collins was attempting to hand to Plaintiff.

62. Also, medical assistants do not deal with labs and do not have the proper training or certification to handle urine labs.

63. During his employment, Plaintiff had never handled a lab.

64. Plaintiff told Collins that only certified lab techs and phlebotomists were authorized to handle labs.

65. Collins began yelling at Plaintiff and stated that Plaintiff did not know what he was talking about.

66. Plaintiff reported this harassment to Everett but Defendants did nothing to address it.

67. About three days after this incident, Collins came to Plaintiff and said the picture in the chart of a patient was “creeping her out” and asked Plaintiff to stand in the room with her while she was with that patient.

68. When Plaintiff met the patient, Plaintiff did not see anything “creepy” about him and Plaintiff was surprised by Collins description.

69. The patient was an African American man about Plaintiff's height and weight and Plaintiff's interaction with the patient was completely normal.

70. Plaintiff noticed that Collins finished interacting with the patient more quickly than any patient Plaintiff had ever seen her interact with.

71. After the patient left Collins told Plaintiff "thank you for standing in the room with me" and said "sometimes I am afraid of big black men especially ones that look like the guy that killed my brother."

72. Plaintiff asked Collins if she realized Plaintiff was a big black man.

73. Plaintiff asked Collins if Plaintiff scared her because he was about the same height, weight and skin tone as the patient and Plaintiff asked her if that was the reason she had been degrading him.

74. Collins did not answer Plaintiff's question, she shushed him and walked away.

75. After this, Plaintiff went to Everett's office and told her what Collins had said to him and that Plaintiff was very offended by this.

76. Everett asked Plaintiff "what do you want us to do about it?"

77. Plaintiff told Everett that Plaintiff kept making complaints and nothing was happening, and that Everett was not getting back to him about these complaints.

78. Plaintiff told Everett that he could not bear the racially hostile environment any longer, and that this was the last straw and Plaintiff felt like he had no choice but to file a complaint with the EEOC.

79. Everett told Plaintiff to keep this quiet, not tell anyone what was going on, and to just talk to Collins about the situation.

80. Plaintiff tried talking to Collins about this and she told him that we have jobs to do and she did not have time to speak to him.

81. Plaintiff informed Everett that it did not work to talk to Collins and he moved forward with filing a charge of discrimination with the EEOC and MCHR on March 18, 2019.

82. After Plaintiff filed the charge of discrimination, three employees showed him an email about his charge and asked him if it was real and what it was about.

83. Plaintiff went to Everett and informed her that people were asking him about the charge of discrimination.

84. Plaintiff reminded Everett that she had told him to be quiet about it and asked why people were asking him about his charge.

85. Everett responded “they weren’t supposed to show you that.”

86. After Plaintiff filed his charge of discrimination, Plaintiff noticed Everett began following him around at work.

87. Once, Plaintiff went into a room and went right back out because he forgot something, and Plaintiff saw Everett standing right against the door.

88. Plaintiff asked Everett if she was ok and she said, “I’m not following you around.”

89. Plaintiff responded, “I didn’t ask if you were following me, I asked if you were ok.”

90. After he filed his charge of discrimination, Plaintiff also saw Everett hiding behind doors and peaking around to see what Plaintiff was doing in the room.

91. Plaintiff did not see Everett do this to anyone else.

92. Nurses also commented on Everett following Plaintiff and asked what was going on and why she was doing this.

93. On July 19, 2019 Everett was following Plaintiff and at one point blocked the door and was trying to see around him.

94. Plaintiff told her “excuse me” and said he needed to get a patient.

95. After Everett went back to her office, Plaintiff knocked on her door and told her it felt like Everett was following him around the workplace.

96. Everett shook her head and said “no” and Plaintiff went to get his patient.

97. After that she did not follow Plaintiff around again that day.

98. On July 23, 2019 Everett told Plaintiff she needed to observe him.

99. Plaintiff had not seen Everett conduct an observation with other employees.

100. Plaintiff noticed later that Everett put notes in his file that Plaintiff was not reviewing medications properly and this was dated July 19, 2019 which was the day Everett was following Plaintiff and he addressed it with her.

101. Also, on the 19th of July, Plaintiff’s phone was sitting on the desk and Plaintiff was not touching it.

102. Everett came up to Plaintiff and told him to put it away.

103. Plaintiff told her two other Caucasian employees had their phone out but Everett said she did not see them do this.

104. Everett was trying to find a reason to discipline or terminate Plaintiff because of his race and because of his complaints of discrimination and charge of discrimination filed with the MCHR/EEOC.

105. On July 26, 2019, Everett stood at Plaintiff’s desk waiting for him to come in to see if Plaintiff was arriving late.

106. Everett looked at her watch when Plaintiff came in, despite the fact that Plaintiff was not late.

107. Everett continued to follow Plaintiff around, asking him what he was doing and when Plaintiff told her he was cleaning a room she asked, “why are you doing it so fast?”

108. Plaintiff told her he always did to keep the clinic moving.

109. Around the end of July 2019, Defendants held an unconscious bias training and at the end of the training, Everett's manager was present and stood up and said "what I want you all to do is just get over it and let the past be the past."

110. Plaintiff understood this comment to be directed at him and another African American employee for making complaints of discrimination.

111. This treatment caused Plaintiff to have to take medical leave because of the stress and anxiety it caused him.

112. While Plaintiff was out on medical leave, he was informed that his position would not be held for him and someone else would be hired to the position.

### **COUNT I**

#### **RSMo. § 213.010 et seq. DISCRIMINATION BASED ON RACE UNDER THE MHRA**

113. Plaintiff re-alleges and incorporates the allegations contained in above-paragraphs as if fully set forth herein.

114. Plaintiff was discriminated against by Defendants because he is African-American.

115. Defendants continuously critiqued, humiliated and terminated Plaintiff because of his race.

116. Plaintiff's race was a motivating factor in this discrimination.

117. All actions or inactions of or by Defendants occurred by or through their owners, agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

118. Defendants' actions constitute unlawful employment discrimination against Plaintiff in violation of the MHRA, RSMo. § 213.010 et seq., as alleged herein.

119. As a direct result of the unlawful conduct of Defendants, as set forth herein, Plaintiff has suffered damages which include garden variety emotional distress, past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation, humiliation, anxiety, loss of enjoyment of life, loss of sleep, and other non-pecuniary losses.

120. The conduct of Defendants was outrageous and evidenced an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

121. Plaintiff is entitled to recover all of his costs, expenses, expert witness fees, and attorneys' fees incurred in this matter.

WHEREFORE, Plaintiff prays for judgment against Defendants, jointly and severally, for actual, compensatory, and punitive damages, all costs, expenses, and attorneys' fees incurred herein, for reinstatement and appropriate equitable relief, for interest at the highest lawful rate, and for such other relief as the Court deems just and proper.

## **COUNT II**

### **RSMo. § 213.010 et seq. DISCRIMINATION BASED ON COLOR UNDER THE MHRA**

122. Plaintiff re-alleges and incorporates herein by reference, as though fully set forth herein, all of the above numbered paragraphs.

123. Plaintiff was discriminated against by Defendants because of the color of his skin.

124. Defendants continuously critiqued and humiliated Plaintiff because of the color of his skin.

125. The color of Plaintiff's skin was a motivating factor in his employment ending with Defendants.

126. All actions or inactions of or by Defendants occurred by or through their owners, agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

127. Defendants' actions constitute unlawful employment discrimination against Plaintiff in violation of the MHRA, RSMo. § 213.010 et seq., as alleged herein.

128. As a direct result of the unlawful conduct of Defendants, as set forth herein, Plaintiff has suffered damages which include garden variety emotional distress, past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation, humiliation, anxiety, loss of enjoyment of life, loss of sleep, and other non-pecuniary losses.

129. The conduct of Defendants was outrageous and evidenced an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

130. Plaintiff is entitled to recover all of his costs, expenses, expert witness fees, and attorneys' fees incurred in this matter.

WHEREFORE, Plaintiff prays for judgment against Defendants, jointly and severally, for actual, compensatory, and punitive damages, all costs, expenses, and attorneys' fees incurred herein, for reinstatement and appropriate equitable relief, for interest at the highest lawful rate, and for such other relief as the Court deems just and proper.

**COUNT III**  
**RSMo. § 213.010 et seq. RETALIATION UNDER THE MHRA**

131. Plaintiff re-alleges and incorporates herein by reference, as though fully set forth herein, all of the above numbered paragraphs.

132. Plaintiff is a member of a protected class because of his race, African-American.

133. Plaintiff is a member of a protected class because of the color of his skin.



134. Plaintiff complained of and opposed discriminatory treatment by reporting discriminatory treatment and remarks to his supervisors and informing Defendants of inappropriate and harassing conduct.

135. Plaintiff complained of and opposed discriminatory treatment when he reported to Defendants the comments and treatment.

136. Plaintiff opposed discrimination and participated in an investigation conducted pursuant to Chapter 213 of the Revised Statutes of Missouri when he filed a charge of discrimination with the MCHR.

137. Defendants took adverse actions against Plaintiff as a result of his engaging in the aforementioned protected activity, including harassing and terminating Plaintiff.

138. The aforementioned protected actions were the motivating factor in the adverse job actions again and termination of Plaintiff.

139. All actions or inactions of or by Defendants occurred by or through their owners, agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

140. Defendants' actions constitute unlawful employment discrimination against Plaintiff in violation of the MHRA, RSMo. § 213.010 *et seq.*, as alleged herein.

141. As a direct result of the unlawful conduct of Defendants, as set forth herein, Plaintiff has suffered damages which include garden variety emotional distress, past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation, humiliation, anxiety, loss of enjoyment of life, loss of sleep, and other non-pecuniary losses.

142. The conduct of Defendants was outrageous and evidenced an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

143. Plaintiff is entitled to recover all of his costs, expenses, expert witness fees, and attorneys' fees incurred in this matter.

WHEREFORE, Plaintiff prays for judgment against Defendants, jointly and severally, for actual, compensatory, and punitive damages, all costs, expenses, and attorneys' fees incurred herein, for reinstatement and appropriate equitable relief, for interest at the highest lawful rate, and for such other relief as the Court deems just and proper.

**COUNT IV**  
**RSMo. § 213.010 et seq. DISCRIMINATION BASED ON SEX UNDER THE MHRA**

144. Plaintiff re-alleges and incorporates by reference the allegations contained in the above-paragraphs as if fully set forth herein.

145. During Plaintiff's employment with Defendant, Plaintiff was subjected to different terms and conditions of employment based on his sex, male, by Defendant, including by his supervisors and co-workers.

146. Upon information and belief, Plaintiff's sex was a motivating factor in his harassment and in the termination of his employment with Defendant.

147. All actions or inactions of or by Defendant occurred by or through its owners, agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

148. Defendant's actions constitute unlawful employment discrimination against Plaintiff in violation of the MHRA, RSMo. § 213.010 et seq., as alleged herein.

149. As a direct and proximate result of the unlawful conduct of Defendant as set forth herein, Plaintiff has suffered damages which include garden variety emotional distress, past and

future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation, humiliation, anxiety, loss of enjoyment of life, loss of sleep, and other non-pecuniary losses.

150. The conduct of Defendant was outrageous and evidenced an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

151. Plaintiff is also entitled to recover all her costs, expenses, expert witness fees, and attorneys' fees incurred in this matter.

WHEREFORE, Plaintiff prays for judgment against Defendants, jointly and severally, for actual, compensatory, and punitive damages, all costs, expenses, and attorneys' fees incurred herein, for reinstatement and appropriate equitable relief, for interest at the highest lawful rate, and for such other relief as the Court deems just and proper.

**COUNT V**  
**42 U.S.C. § 2000e et seq. DISPARATE TREATMENT AND HARASSMENT BASED ON**  
**RACE IN VIOLATION OF TITLE VII**

152. Plaintiff hereby re-alleges and incorporate by reference the allegations contained in the above-stated paragraphs as if fully set forth herein.

153. During Plaintiff's employment with Defendants, Plaintiff was subjected to different terms and conditions of employment and an ongoing practice and/or pattern of discrimination/disparate treatment and harassment based on his race, African-American, by Defendants.

154. Plaintiff was subjected to different work requirements than other similarly situated Caucasian employees in regard to the terms and conditions of his employment.

155. Plaintiff's race, African-American, was a motivating factor in Defendants' decision to suspend Plaintiff's employment.

156. Plaintiffs race, African-American, was a motivating factor in Defendants' decision to terminate Plaintiff's employment.

157. Defendants' actions and/or omissions constitute a pattern or practice of discriminatory and retaliatory behavior.

158. All actions or inactions of or by Defendants occurred by or through their agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

159. Defendants' actions constitute unlawful employment discrimination against Plaintiff in violation of Title VII, as alleged herein.

160. As a direct and proximate result of the unlawful conduct of Defendants as set forth herein, Plaintiff has suffered damages which include emotional distress, pain and suffering, past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation and humiliation, increased anxiety, increased difficulty sleeping, loss of enjoyment of life, and other nonpecuniary losses.

161. The conduct of Defendants was outrageous and evidences an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff requests that the Court enter judgment in his favor and against the Defendants for economic damages, including, but not limited to: back pay, lost benefits, and front pay, injunctive relief, compensatory damages, punitive damages, for reasonable attorneys' fees and costs incurred herein, for pre- and post-judgment interest as allowed by law, and for such other and further legal and equitable relief as this Court deems just and proper.

**COUNT VI**  
**42 U.S.C.A. § 2000e et seq. DISPARATE TREATMENT AND HARASSMENT BASED**  
**ON COLOR IN VIOLATION OF TITLE VII**

162. Plaintiff hereby re-alleges and incorporate by reference the allegations contained in the above-stated paragraphs as if fully set forth herein.

163. During Plaintiff's employment with Defendants, Plaintiff was subjected to different terms and conditions of employment and an ongoing practice and/or pattern of discrimination/disparate treatment and harassment based on his color, dark skinned, by Defendants.

164. Plaintiff was subjected to different work requirements than other similarly situated light skinned employees in regard to the terms and conditions of his employment.

165. Plaintiff's color was a motivating factor in Defendants' decision to suspend Plaintiff's employment.

166. Plaintiff's color was a motivating factor in Defendants' decision to terminate Plaintiff's employment.

167. Defendants' actions and/or omissions constitute a pattern or practice of discriminatory and retaliatory behavior.

168. All actions or inactions of or by Defendants occurred by or through their agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

169. Defendants' actions constitute unlawful employment discrimination against Plaintiff in violation of Title VII, as alleged herein.

170. As a direct and proximate result of the unlawful conduct of Defendants as set forth herein, Plaintiff has suffered damages which include emotional distress, pain and suffering,

past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation and humiliation, increased anxiety, increased difficulty sleeping, loss of enjoyment of life, and other nonpecuniary losses.

171. The conduct of Defendants was outrageous and evidences an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff requests that the Court enter judgment in his favor and against the Defendants for economic damages, including, but not limited to: back pay, lost benefits, and front pay, injunctive relief, compensatory damages, punitive damages, for reasonable attorneys' fees and costs incurred herein, for pre- and post-judgment interest as allowed by law, and for such other and further legal and equitable relief as this Court deems just and proper.

**COUNT VII**  
**42 U.S.C. § 2000e et seq. RETALIATION IN VIOLATION OF TITLE VII**

172. Plaintiff hereby re-alleges and incorporate by reference the allegations contained in the above-stated paragraphs as if fully set forth herein.

173. Plaintiff is a member of a protected class because of his race, African-American.

174. Plaintiff is a member of a protected class because of his color, dark skinned.

175. Plaintiff engaged in protected activity under Title VII by reporting discriminatory treatment and remarks to his supervisors and human resources, informing Defendant of inappropriate and harassing conduct.

176. Defendants took adverse actions against Plaintiff as a result of his engaging in the aforementioned protected activity, including harassing and terminating Plaintiff.

177. Defendants' actions constitute unlawful employment discrimination against Plaintiff and is violation of Title VII as alleged herein.

178. As a direct and proximate result of the unlawful conduct of Defendants as set forth herein, Plaintiff has suffered damages which include emotional distress, pain and suffering, past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation and humiliation, increased anxiety, increased difficulty sleeping, loss of enjoyment of life, and other non-pecuniary losses.

179. By failing to take prompt and effective remedial action, Defendants, in effect condoned, ratified and/or authorized the discrimination against Plaintiff.

180. As shown by the foregoing, Defendants' conduct was willful, wanton, and malicious, and showed complete indifference to or conscious disregard for the rights of others, including the rights of the Plaintiff, thus, justifying an award of punitive damages in an amount sufficient to punish Defendants or to deter them and other companies from the conduct in the future.

WHEREFORE, Plaintiff requests that the Court enter judgment in his favor and against the Defendants for economic damages, including, but not limited to: back pay, lost benefits, and front pay, injunctive relief, compensatory damages, punitive damages, for reasonable attorneys' fees and costs incurred herein, for pre- and post-judgment interest as allowed by law, and for such other and further legal and equitable relief as this Court deems just and proper.

**COUNT VIII**  
**DISPARATE TREATMENT BASED ON SEX IN VIOLATION OF TITLE VII**

181. Plaintiff re-alleges and incorporates the allegations contained in above-paragraphs as if fully set forth herein.

182. Upon information and belief, Plaintiff's sex was a motivating factor in his harassment and in the termination of his employment with Defendant.

183. All actions or inactions of or by Defendant occurred by or through their owners, agents, servants, or employees acting within the course and scope of their employment, as set forth herein.

184. Defendant's actions constitute unlawful employment discrimination against Plaintiff in violation of Title VII as alleged herein.

185. As a direct and proximate result of the unlawful conduct of Defendant as set forth herein, Plaintiff has suffered damages which include emotional distress, pain and suffering, past and future wages and benefits, career damage and diminished career potential, mental distress in the form of embarrassment, degradation, humiliation, anxiety, loss of enjoyment of life, loss of sleep and other non-pecuniary losses.

186. The conduct of Defendant was outrageous and evidence an evil motive or reckless indifference for the rights of Plaintiff and the rights of others, entitling Plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff requests that the Court enter judgment in his favor and against the Defendants for economic damages, including, but not limited to: back pay, lost benefits, and front pay, injunctive relief, compensatory damages, punitive damages, for reasonable attorneys' fees and costs incurred herein, for pre- and post-judgment interest as allowed by law, and for such other and further legal and equitable relief as this Court deems just and proper.

### **Demand for Jury Trial and Designation of Place of Trial**

Plaintiff requests a trial by jury, in Kansas City, Missouri, on all counts and allegations of wrongful conduct alleged in this Petition.



Respectfully Submitted,

EDELMAN, LIESEN & MYERS, L.L.P.

/s/ Alexander Edelman

Alexander Edelman MO #64830

Sarah C. Liesen MO #65331

sliesen@elmlawkc.com

208 W. Linwood Blvd.

Kansas City, Missouri 64111

Telephone: (816) 301-4056

Facsimile: (816) 463-8449

**ATTORNEYS FOR PLAINTIFF**

## EXHIBIT A

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____ <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC <span style="float: right;">563-2019-01288</span>	
<b>Missouri Commission On Human Rights</b> and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) <b>Mr. Trevor R Baston</b>		Home Phone <b>(816) 328-8453</b>	Year of Birth 
Street Address City, State and ZIP Code <b>11805 E 83rd, APT.101, RAYTOWN, MO 64138</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>ST. LUKES PHYSICIAN GROUP</b>		No. Employees, Members 	Phone No. <b>(816) 932-2000</b>
Street Address City, State and ZIP Code <b>4321 Washington, Suite 6100, KANSAS CITY, MO 64111</b>			
Name 		No. Employees, Members 	Phone No. 
Street Address City, State and ZIP Code 			
DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) _____		DATE(S) DISCRIMINATION TOOK PLACE Earliest                      Latest <b>05-29-2017                      03-18-2019</b> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <b>On or about May 30, 2017, I began working for St. Luke's Physician Group as a Medical Technician and I am still currently employed.</b>  <b>From on or about May 30, 2017 through the present, I have been harassed and called many derogatory names such as boy, pansy etc. by coworkers because of my race(African American) sex (male) and color (dark-skinned). I have reported these incidents to my supervisor, but no corrective action has ever been taken.</b>  <b>I believe I have been harassed because of my race (African American), color (dark-skinned) and sex (male) and have been the subject of retaliation in violation of Title VII of the Civil Rights Act of 1964, as amended.</b>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Digitally signed by Trevor Baston on 03-18-2019 10:23 AM EDT			



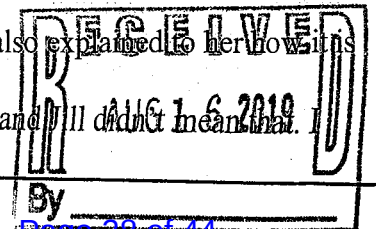
While she was my supervisor, Lynsey consistently treated me differently because of my race. She would tell me to put my cell phone away but would watch videos and look at Facebook picture on the phones of other Caucasian employees. She also told another African American employee, Tina, to put her cell phone away. I asked Lynsey why she came to my desk and asked me to put my phone away but watched videos with other Caucasian employees. Lynsey just shook her head and walked away without answering my question.

About a month after this, Lynsey gave me a bad review which prevented me from getting a raise. I believe this happened because of my race and because of my complaint of discrimination. I complained about this and my review was changed but this happened after raises were given out so I still did not receive a raise. From that point forward, every paycheck I have received (and those I continue to receive) has been lower because of the effect of the discriminatory/retaliatory review Lynsey gave me.

In or around June of 2018, Lynsey gave me a final written warning for accessing my medical records. I informed her that I did not recall doing that and she told me that compliance said it happened. I have seen two other employees, Christi and Jennifer (Caucasian employees), access their medical records and I do not believe that she gave me them a final written warning. I told her I had seen these other employees access their records before and she told me that it was a random audit. I believe that she gave me this final written warning because of my race and because of my complaints of discrimination.

Around August 2018, I reported in a survey that I there were racial inequalities at the office and that I believed we needed to have a diversity training. I also told Lynsey before I went out on shoulder surgery, around September of 2018, that I felt there was some racial inequality and I needed to discuss it with her when I got back from surgery.

When I returned from surgery in December of 2018, Lynsey was no longer in my department and had been moved somewhere else. In January 2019, another employee, Jill Strauser, repeatedly called me "boy." I explained to her that referring to a black man as "boy" is offensive, and asked her to please call me by my name. She responded "you don't know what you are talking about boy, be quiet boy." Jill saying this repeatedly after I had asked her not to made it clear that she was doing this on purpose to create a racially hostile environment. I reported this to Carol and I said I didn't appreciate it and also explained to her how it is offensive to a black man to be called "boy." Carol said I was looking at it wrong and Jill didn't mean that.

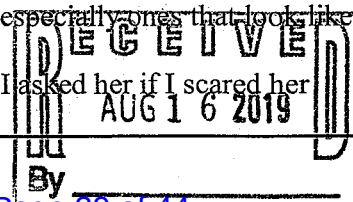


told Carol she doesn't know how that makes me feel and I felt like it was racially harassing. Carol said that there was nothing she could do about it now and nothing ever happened.

Around February of 2018, there was bad weather, and several people were not coming in. Carol sent an email to the office stating that I was not coming in because I my door locks were frozen shut. Carol did not write the reason the Caucasian employees were not coming in. When I came in the next day, the Caucasian front desk employee, Cama Banawart, mocked me about this saying "I can't believe you could not get your doors unlocked, you are such a pansy." I told her she could not say that but she responded "you are a pansy." I reported to Carol that this was not appropriate. Carol said that Cama said she didn't say that and nothing else happened. I witnessed Cama employee call another African American employee a racially offensive term, "Aunt Jemima," two times and the employee reported this but nothing happened.

In March of 2018, Tara Collins, a Caucasian nurse practitioner, repeatedly degraded me, stating I could not do my job and did not know what I was talking about when I was training a new employee. The next day, Tara came up to me while I was training a new employee on the computer and stuck a container of urine in my face and said, "take this downstairs." Tara had no gloves on and there was no protective cover on the urine which was against policy. Personal protective equipment, or PPE, was required when dealing with labs. In addition, medical assistants do not deal with labs and do not have the proper training or certification to deal with urine labs. During my employment, I have never handled a lab. I informed her that only certified lab techs and phlebotomists were supposed to handle labs. Tara began yelling at me and said I did not know what I was talking about. I reported this to Carol but nothing ever happened.

I asked Carol why I had to keep following up with her about the complaints and why she was not getting back to me about that. About three days later, Tara came to me and said the picture of a patient was "creeping her out" and asked me to stand in the room with her while she was with that patient. When I saw the patient, I did not see anything "creepy" about him and I was surprised. He was an African American man about my height and my weight and my interaction with him was completely normal. Tara finished the patient more quickly than any patient I had ever seen her complete. After the patient left she said "thank you for standing in the room with me" and said "sometimes I am afraid of big black men especially ones that look like the guy that killed my brother." I asked her if she realized I was a big black man. I asked her if I scared her

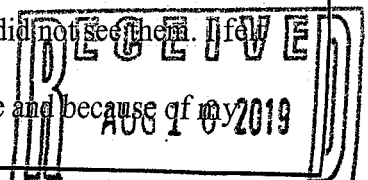




because I was about the same height, weight and skin tone as the patient and I asked her if that was the reason she had been degrading me and she just shushed me and walked away. After this, I went to Carol's office and told her what Tara said to me and that I was very offend by this. Carol asked "what do you want us to do about it?" I told Carol that I keep making complaints and nothing is happening, she is not getting back to me. I told her that I could bear the racially hostile environment any longer, and that this was the last straw and I felt like I had no choice but to file a complaint with the EEOC. Carol told me to keep this quiet, not tell anyone what was going on and to just talk to Tara about it. I tried talking to Carol and she told me that we have jobs to do and she does not have time. I informed Carol that it did not work to talk to Tara and moved forward with filing a charge of discrimination with the EEOC and MCHR on March 8, 2019.

After I filed the charge of discrimination, three employees showed me an email about my charge and asked me if it was real and what it was about. I went to Carol and said people were asking me about the EEOC charge. I reminded her that she had told me to be quiet about it and asked why were people asking me about my charge. She said, "they weren't supposed to show you that."

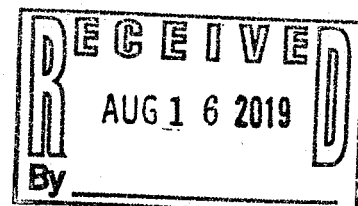
After I filed my EEOC charge, I noticed Carol was following me. Once I went into a room and went right out because I forgot something and saw Carol standing right in the door. I asked her if she was ok and she said, "I'm not following you around." I responded, "I didn't ask if you were following me, I asked if you were ok." Multiple times I saw her hiding behind doors and peaking around to see what I was doing in the room. I did not see her do this to anyone else. Nurses commented on her following me and asked what was going on and what was it about. On July 19, 2019 Carol was following me and at one point blocked the door and was trying to see around me. I told her "excuse me" and said I needed to get a patient. She went back to her office and I knocked on her door and it feels like you are following me around the office. She just shook her head and said "no" and I went to get my patient. After that she did not follow me around that day. On July 23rd Carol said she needed to observe me. I noticed Carol put notes in my file that I was not reviewing medications properly and this was dated July 19, 2019 which was the day she was following me. Also on the 19th, my phone was sitting on the desk and I was not touching it. Carol came up to me and told me to put it away. I told her two other Caucasian employees had their phone out but she said she did not see them. I felt like Carol was trying to find a reason to discipline or terminate me because of my race and because of my file.



complaints of discrimination and charge of discrimination filed with the MCHR/EEOC. On July 26, 2019, Carol stood at my desk waiting for me to come in to see if I had been late. She looked at her watch when I came in, despite the fact that I was not late. She continued to follow me around, asking what I was doing and when I told her I was cleaning a room she asked, "why are you doing it so fast?" I told her I always do to keep the clinic moving.

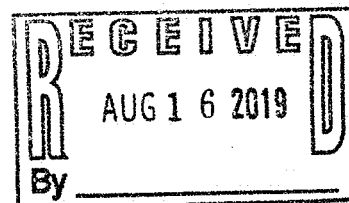
Around the end of July, we had an unconscious biased training and at the end of the training, Carol's manager stood up and said "what I want you all to do is just get over it and let the past be the past." I felt like this comment was directed at me and the other African American employee for making complaints of discrimination.

I believe I have been harassed and discriminated against because of my race, color, and sex, and in retaliation for reporting discrimination and filing and EEOC/MCHR charge of discrimination. As a result of Respondent's actions, I am seeking back-pay, front-pay, emotional distress damages, punitive damages, attorney fees and any other remedy the Commission deems appropriate.



<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT</p>
<p>8-16-19</p> <p><i>[Signature]</i></p> <p>Date Charging Party Signature</p>	<p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>

EEOC Form 5 (11/09)





## DISMISSAL AND NOTICE OF RIGHTS

To: **Trevor R. Baston**  
**11805 E. 83rd Street**  
**APT.101**  
**Raytown, MO 64138**

From: **Kansas City Area Office**  
**Gateway Tower II**  
**400 State Avenue, Suite 905**  
**Kansas City, KS 66101**

☐

On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

563-2019-01288

**Leah Sibert,**  
**Investigator**

(913) 551-5655

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

AUG 16 2019

Enclosures(s)

for:

**Natascha Deguire,**  
**Area Office Director**

(Date Mailed)

cc:

**Joe Pusateri**  
**Director of Human Resources**  
**ST. LUKE'S PHYSICIAN GROUP**  
**901 E. 104th Street**  
**Kansas City, MO 64131**



MICHAEL L. PARSON  
GOVERNOR

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS **1916-CV31081**  
**MISSOURI COMMISSION ON HUMAN RIGHTS** **EXHIBIT D**

ANN S. HUI  
DEPARTMENT DIRECTOR

MARTHA STAGGS  
COMMISSION CHAIR

ALISA WARREN, PH.D.  
EXECUTIVE DIRECTOR

September 16, 2019

Trevor R. Baston  
11805 E. 83rd, Apt. 101  
Raytown, MO 64138

FE-3/19-30891  
Administrative UserRecords

**NOTICE OF TERMINATION OF PROCEEDINGS**

RE: Baston vs. St. Luke's Physician Group  
FE-3/19-30891 563-2019-01288

The Missouri Commission on Human Rights (MCHR) is terminating its proceedings and issuing this notice of your right to sue under the Missouri Human Rights Act because you have requested a notice of your right to sue.

This letter indicates your right to bring a civil action within 90 days of this notice against the respondent(s) named in the complaint. Such an action may be brought in any circuit court in any county in which the unlawful discriminatory practice is alleged to have occurred but it must be brought no later than two years after the alleged cause occurred or its reasonable discovery. Upon issuance of this notice, the MCHR is terminating all proceedings relating to the complaint. No person may file or reinstate a complaint with the MCHR after the issuance of a notice of right to sue relating to the same practice or act. You are hereby notified of your right to sue the Respondent(s) named in your complaint in state circuit court. **THIS MUST BE DONE WITHIN 90 DAYS OF THE DATE OF THIS NOTICE OR YOUR RIGHT TO SUE IS LOST.**

You are also notified that the Executive Director is hereby administratively closing this case and terminating all MCHR proceedings relating to it. This notice of right to sue has no effect on the suit-filing period for any federal claims. This notice of right to sue is being issued as required by Section 213.111.1, RSMo, because it has been over 180 days after the filing of this complaint and MCHR has not completed its administrative processing.

(continued on next page)



3315 WEST TRUMAN BLVD., SUITE 212  
P.O. BOX 1129  
JEFFERSON CITY, MO 65102-1129  
PHONE: 573-751-3325  
FAX: 573-751-2905

111 N. 7TH STREET, SUITE 903  
ST. LOUIS, MO 63101-2100  
PHONE: 314-340-7590  
FAX: 314-340-7238

1410 GENESSEE, SUITE 260  
KANSAS CITY, MO 64102-1047  
FAX: 816-889-3582

106 ARTHUR STREET, SUITE D  
SIKESTON, MO 63801-5454  
FAX: 573-472-5321

*Missouri Commission on Human Rights is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities.*

TDD/TTY: 1-800-735-2966 (TDD) Relay Missouri: 711

www.labor.mo.gov/mohumanrights E-Mail: mchr@labor.mo.gov

RE: Baston vs. St. Luke's Physician Group  
FE-3/19-30891 563-2019-01288

In addition to the process described above, if any party is aggrieved by this decision of the MCHR, that party may appeal the decision by filing a petition under § 536.150 of the Revised Statutes of Missouri in state circuit court.

Respectfully,



Alisa Warren, Ph.D.  
Executive Director

St. Luke's Physician Group  
4321 Washington, Suite 6100  
Kansas City, MO 64111

Joe Pusateri, Director of HR  
St. Luke's Physician Group  
901 E. 104<sup>th</sup> Street  
Kansas City, MO 64131

Jeffrey Hanslick  
Littler Mendelson, PC  
1201 Walnut Street, Suite 1450  
Kansas City, MO 64106

Edelman, Liesen & Myers, LLP  
Renee Morrison  
208 W. Linwood Blvd.  
Kansas City, MO 64111  
*Via email*

3315 WEST TRUMAN BLVD., SUITE 212  
P.O. BOX 1129  
JEFFERSON CITY, MO 65102-1129  
PHONE: 573-751-3325  
FAX: 573-751-2905

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TDD/TTY: 1-800-735-2966 (TDD) Relay Missouri: 711

[www.labor.mo.gov/mohumanrights](http://www.labor.mo.gov/mohumanrights) E-Mail: [mchr@labor.mo.gov](mailto:mchr@labor.mo.gov)

## DISMISSAL AND NOTICE OF RIGHTS

**EXHIBIT E**

Revor Batson  
208 W. Linwood Boulevard  
Kansas City, MO 64111

From: Kansas City Area Office  
Gateway Tower II  
400 State Avenue, Suite 905  
Kansas City, KS 66101

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

563-2019-02880

Leah Sibert,  
Investigator

(913) 551-5655

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

[SEP 11 2019]

Enclosures(s)

*[Signature]*  
for:

Natascha Deguire,  
Area Office Director

(Date Mailed)

cc:

Joe Pusateri  
Director of Human Resources  
SAINT LUKE'S PHYSICIAN GROUP  
901 E. 10th Street  
Kansas City, MO 64131

Sarah Liesen  
EDELMAN, LIESEN & MYERS LLP  
208 W Linwood Blvd  
Kansas City, MO 64111



## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

### PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

### PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

### ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

### ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

☒ AT KANSAS CITY ☐ AT INDEPENDENCE

RE: TREVOR BASTON V SAINT LUKE'S PHYSICIAN GROUP ET AL  
CASE NO: 1916-CV31081

TO: ALEXANDER EDELMAN  
EDELMAN LIESEN & MYERS LLP  
208 W LINWOOD BOULEVARD  
KANSAS CITY, MO 64111

We have received pleadings, which you submitted for filing in the case and they have been file-stamped on 11-14-19. However, your pleading cannot be processed further until the following action is taken:

**RULE 3.2 - STYLE**

- ☐ Additional service instructions are needed.
- ☐ Incorrect case number/filed in wrong county.
- ☐ Document is unreadable.

**RULE 4.2 (2)**

- ☐ Need Circuit Court Form 4

**RULE 5.6 - COLLECTIONS OF DEPOSIT**

- ☐ No fee, or incorrect fee, received; fee required is \$\_\_\_\_\_.
- ☐ Insufficient Filing Fee; Please Remit \$\_\_\_\_\_
- ☐ No signature on check/form 1695.
- ☐ No request to proceed in forma pauperis.
- ☐ No personal checks accepted.

**RULE 68.1**

- ☐ Need Circuit Court Form 17

**RULE 68.7 - VITAL STATISTICS REPORT**

- ☐ Need Certificate of dissolution of marriage form.

**RULE 74.14 SUPREME CT - FOREIGN JUDGMENT**

- ☐ Authentication of foreign judgment required.
- ☐ Affidavit pursuant to Supreme Court Rule 74.14

**RULE 54.12 SERVICE IN REM OR QUASI IN REM ACTIONS**

- ☐ Affidavit for Service by Publication required pursuant to Supreme Court Rule 54.12c.
- ☐ Order for Service by Publication required pursuant to Supreme Court Rule 54.12c.
- ☐ Notice for Service by Publication required pursuant to Supreme Court Rule 54.12c.
- ☐ Affidavit for Service by Certified/Registered Mail pursuant to Supreme Court Rule 54.12b.

☒ **OTHER:** Please remit your Motion and Order for Process Server. Any questions, please call Cheryl at 881-1221.

- ☐ Please take the actions necessary to comply with the Circuit Court Rules and your request will be processed.
- ☐ The private process server listed is not on our approved list.
- ☐ Execution in effect. Return date \_\_\_\_\_. Request may be resubmitted within one week prior to return date.
- ☐ Supreme Court Rule 90.13 requires interrogatories be served with summons of garnishment.

**If the filing was a new case, please be advised that unless the additional information marked is received within 30 days of the date of this notice this case will be dismissed pursuant to Rule 37.4 for failure to prosecute without prejudice, at the Plaintiff's cost. Collection efforts will be pursued for these costs.**

**Please refer to the Court's website at [www.16thcircuit.org](http://www.16thcircuit.org) for Court Rules or Forms.**

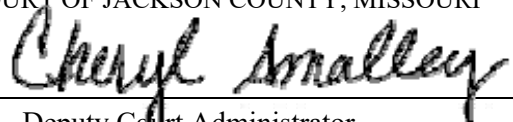
Copies electronic noticed, faxed, emailed and/or mailed NOVEMBER 21, 2019 to:

COURT ADMINISTRATOR'S OFFICE  
DEPARTMENT OF CIVIL RECORDS  
CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

NOVEMBER 21, 2019

Date

By



Deputy Court Administrator

- ☒ 415 East 12<sup>th</sup> St., Kansas City, Missouri 64106
- ☐ 308 W. Kansas, Independence, Missouri 64050

**IN THE CIRCUIT COURT OF JACKSON COUNTY  
AT KANSAS CITY, MISSOURI**

Trevor Baston )  
Plaintiff/Petitioner, )  
VS. )  
 )  
 )  
Defendant/Respondent. )

Case No.: 1916-CV31081

Division No.: 11

**MOTION FOR APPOINTMENT OF PRIVATE PROCESS SERVER**

COMES NOW Plaintiff, by and through counsel, and pursuant to Local Rule 4.9 of Jackson County Court Rules, hereby moves for the appointment of HPS Process Service & Investigations, Inc.:

Jan Adams	PPS19-0001
Michelle L Adams	PPS19-0002
Roger Adams	PPS19-0003
Bobby Ali	PPS19-0004
Lakeita Allen	PPS19-0005
Sandra M Allen	PPS19-0006
Victor Aponte	PPS19-0007
Joshua Aragon	PPS19-0008
Brandon Aschenbrenner	PPS19-0009
Erica Austin	PPS19-0010
Kali A Baltazar	PPS19-0011
Joseph L Baska	PPS19-0012
Carrington L Bell	PPS19-0013
George Bell	PPS19-0014
Ryan Black	PPS19-0015
Shanna Blackwell	PPS19-0016
Dianna J Blea	PPS19-0017
Richard J Blea	PPS19-0018
Robert Blixt	PPS19-0019
Brent Bohnoff	PPS19-0020
David Braxton	PPS19-0021
Charles Bridges	PPS19-0022
Donnie C Briley	PPS19-0023
Kathy A Broom	PPS19-0024
Dan Brouillete	PPS19-0025
Douglas S Brower	PPS19-0026
Kelley Brown	PPS19-0028
Kenneth H Brown, Jr.	PPS19-0027
Nicholas R Bull	PPS19-0029
Jarrett M Bullock	PPS19-0030
Ashley Bumgardner	PPS19-0031
James Burke	PPS19-0032
Randy D Burrow	PPS19-0033
Gary Burt	PPS19-0034
William J Caputo	PPS19-0035
Charles Casey	PPS19-0036
George L Castillo	PPS19-0037
Sonja R Chailland	PPS19-0038

Gary Chatham	PPS19-0039
Glen Cobb	PPS19-0040
Kenneth V Condrey	PPS19-0041
Sharon R Condrey	PPS19-0042
Kathleen Cook	PPS19-0043
William R Cooper	PPS19-0044
Catherine Cornellier	PPS19-0045
Wilberto Correa	PPS19-0046
Alterick S Davenport	PPS19-0047
Duane D Day	PPS19-0048
Gerald Deadwyler	PPS19-0049
Robert E Delacy, III	PPS19-0050
Robert E Delacy, Jr.	PPS19-0051
Dominic DellaPorte	PPS19-0052
Ricardo Delpratt	PPS19-0053
John Dippenworth	PPS19-0064
Alexander C Djaine	PPS19-0065
Claudia A Dohn	PPS19-0066
Dale Dorning	PPS19-0067
Jadeena Earle	PPS19-0068
Abel A Emiru	PPS19-0069
David S Felter	PPS19-0070
William F Ferrell	PPS19-0228
Robert D Finley	PPS19-0071
Travis Foster	PPS19-0072
Christopher Fowler	PPS19-0073
James Frago	PPS19-0074
John Frago	PPS19-0075
Andrew L Garza	PPS19-0231
Louis Gerrick	PPS19-0054
Matthew Gilmore	PPS19-0055
Steven D Glenn	PPS19-0056
Ronda Godard	PPS19-0057
Adam Golden	PPS19-0058
Bradley Gordon	PPS19-0059
Tom Gorgone	PPS19-0060
Gabriella Gourdin	PPS19-0061
Christina M Gregory	PPS19-0062

Charles R Gunning	PPS19-0063
Darnell Hamilton	PPS19-0076
Kimberly Hamilton	PPS19-0077
Alan Hancock	PPS19-0078
Eric Hann	PPS19-0079
Timothy S Hansen	PPS19-0080
Christy Hartline	PPS19-0081
Larry Haynes	PPS19-0082
Douglas E Hays	PPS19-0083
Grace Hazell	PPS19-0084
Richard P Heimerich, Jr.	PPS19-0085
Stephen Heitz	PPS19-0086
Charles Helms	PPS19-0087
Austen Hendrickson	PPS19-0088
Wendy L Henrich	PPS19-0089
Jesse J Hernandez	PPS19-0090
Michael Hibler	PPS19-0091
Anthonio Hightower	PPS19-0092
Wendy K Hilgenberg	PPS19-0238
James M Hise	PPS19-0093
Gary F Hodges	PPS19-0094
Brian K Hollen	PPS19-0095
Bob Holyk	PPS19-0096
Roman Holyk	PPS19-0097
Ulonda G Howard	PPS19-0098
Martin J Hueckel	PPS19-0099
William B Humble	PPS19-0100
George Illidge	PPS19-0101
Frank James	PPS19-0102
Matthew J Jankowski	PPS19-0103
Betty A Johnson	PPS19-0104
Christina M Johnson	PPS19-0105
Edward Johnson	PPS19-0106
Randy Johnson	PPS19-0107
Michael A Jones	PPS19-0108
Haile Kahssa	PPS19-0109
Kenneth J Kearney	PPS19-0110
Michael Keatina	PPS19-0111

Gerald Keeley	PPS19-0112
Wyman T Kroft	PPS19-0113
Jeff Kuenzi	PPS19-0114
Jo Ann Lane	PPS19-0115
John M Laukaitis	PPS19-0116
Joshua Lee	PPS19-0117
Rick V Leeds	PPS19-0118
Kristie S Lewis	PPS19-0119
John D Lichtenegger	PPS19-0120
Bert Lott	PPS19-0121
Robert Manning	PPS19-0123
Roger Martucci	PPS19-0124
William Lu Maye	PPS19-0122
Michael J McMahon	PPS19-0125
Jerry Melber	PPS19-0126
Arsalan Memon	PPS19-0127
Jenna Mendoza	PPS19-0128
Matthew A Millhollin	PPS19-0129
Vivian G Mitchell	PPS19-0130
Carlos A Moreno	PPS19-0131
Kelly Murski	PPS19-0132
Andrew Myers	PPS19-0263
Frederick M Myers	PPS19-0264
James G Myers	PPS19-0265
Stephanie Myers	PPS19-0266
Paul Nardizz	PPS19-0133
Wendy Neff	PPS19-0134
Jillian Newkirk	PPS19-0135
Brian Newton	PPS19-0136
Jeremy L Nicholas	PPS19-0268
Michael Noble	PPS19-0137
Trinity Olson	PPS19-0138
John Pappas	PPS19-0139
Cynthia Paris	PPS19-0140
George R Perry, Jr.	PPS19-0142
Janet R Perry	PPS19-0141
Kacie Phelps	PPS19-0143
Vincent Piazza	PPS19-0158
Timothy Pinney	PPS19-0159
Jason S Plumley	PPS19-0160
Craig Podgurshi, Jr	PPS19-0161
Rocellious D Pope	PPS19-0162
Anastasia Quinquit	PPS19-0163
Charles J Reardon	PPS19-0164
Derek L Reddick	PPS19-0165
Angela Reed	PPS19-0166
Christopher Reed	PPS19-0145
Edward Reed	PPS19-0146
Ernie Rice	PPS19-0147
Karen L Rice	PPS19-0148
Debra Rios	PPS19-0149

Randy Rober	PPS19-0150
David M Roberts	PPS19-0336
Patricia Roberts	PPS19-0337
Richard Robex	PPS19-0151
Jery Robinson	PPS19-0152
Antonio Roque	PPS19-0153
Ethel A Ross	PPS19-0154
Richard C Ross	PPS19-0155
Edna Russell	PPS19-0156
Mark Russell, Jr.	PPS19-0157
John T Sadler, Jr	PPS19-0167
Ligno Sanchez	PPS19-0168
Virginia L Saxon	PPS19-0169
Nathaniel Scott	PPS19-0170
Joe Sherrod	PPS19-0171
Cory Shields	PPS19-0172
Mark O Shiver	PPS19-0173
Eric Shumate	PPS19-0174
Andrew Siteps	PPS19-0175
Jeremy S Small	PPS19-0176
Bryan Smith	PPS19-0177
Monica Smith	PPS19-0178
Timofey A Somoylenko	PPS19-0179
Anthony Spada	PPS19-0180
Melissa Spencer	PPS19-0181
Jamie P Stallo	PPS19-0182
Marc A Starks	PPS19-0183
Barbara J Stelc	PPS19-0184
Kelvin Stinyard	PPS19-0185
Randy Stone	PPS19-0186
Haley Stratton	PPS19-0187
Berham B Tassaw	PPS19-0188
Jeffrey Teitel	PPS19-0189
Perry Thomas	PPS19-0190
Robert H Thomas	PPS19-0191
William W Thomas	PPS19-0192
Vanessa Thompson	PPS19-0193
Christina Tiffany	PPS19-0194
Gabriel E Trantum	PPS19-0195
Jacob Trantum	PPS19-0196
Paul G Turpen	PPS19-0197
Margarita Vasquez	PPS19-0198
Robert E Vick, II	PPS19-0199
Kasey Vink	PPS19-0200
Brad Votaw	PPS19-0201
Ambiko Wallace	PPS19-0202
Daniel R Ward	PPS19-0203
Vancem Warrem, Sr.	PPS19-0204
Kaylan Welborn	PPS19-0205
Gregory M Willing	PPS19-0206
Deborah A Wilson	PPS19-0207

Elmer W Wilson	PPS19-0208
Mitch A Wirth	PPS19-0209
Deborah Woodhouse	PPS19-0210
Jerry Wooten	PPS19-0211
Edwin E Young	PPS19-0212
Sarah Zirakian	PPS19-0213
Felycia Aranda	PPS19-0533
Mark Avery	PPS19-0534
Teresa Bailly	PPS19-0535
Mike Barry	PPS19-0536
Robert Bassler	PPS19-0537
Laura Beckham	PPS19-0538
Ann Bollino	PPS19-0539
Joshua Brown	PPS19-0540
Maurice Burton, Sr.	PPS19-0541
Anna Canole	PPS19-0542
Trenia Cherry	PPS19-0543
John R Choate	PPS19-0544
Rick M McClain	PPS19-0545
John A Clor	PPS19-0546
Kathleen V Clor	PPS19-0547
Emma Cole	PPS19-0548
Theodore Cordasco	PPS19-0549
Karen Crohan	PPS19-0550
Laura Crum	PPS19-0551
Bryce E Dearborn	PPS19-0552
Kathleen DiNunno	PPS19-0553
Dennis Duflinger	PPS19-0554
Donald C Eskka, Jr.	PPS19-0555
Leticia Estrada	PPS19-0556
Robert D Fairbanks	PPS19-0557
Flojetta Fitzgerald	PPS19-0558
Stephen H Folcher	PPS19-0559
Christine Foran	PPS19-0560
Ryan D Fortune	PPS19-0561
Richard Gerber	PPS19-0562
Paul Gizel	PPS19-0563
Sinai Gonzalez	PPS19-0564
David Hahn	PPS19-0565
Anthony Hatcher	PPS19-0566
Frances Hatcher	PPS19-0567
Erich T Hein	PPS19-0568
Leonard Horseman	PPS19-0569
Donna Jo King	PPS19-0570
Mike Johnson	PPS19-0571
Louis Jones	PPS19-0572
Samuel Jones, Jr.	PPS19-0573
Jeff Keyton	PPS19-0574
Kenneth J. Klewicki	PPS19-0575
Thomas R. Kroll	PPS19-0576
Robert G. Maliuuk, Jr.	PPS19-0577



Matthews J Manlich	PPS19-0578
David Martin	PPS19-0579
Michael Meade	PPS19-0580
Eric Mendenhall	PPS19-0581
James O Miller, Jr.	PPS19-0582
Chris Miranda	PPS19-0583
Carla Monegain	PPS19-0584
Emmanuel F Morales	PPS19-0585
Michael S Morison	PPS19-0586
Ly Nguyen	PPS19-0587
Keith Niziankiewicz	PPS19-0588
Craig Palmer	PPS19-0589
Douglas W Patterson	PPS19-0590
Jaron Perkins	PPS19-0591
Terrance Perry	PPS19-0592

Gregory Piazza	PPS19-0593
Brian T Pierce	PPS19-0594
John Pontry	PPS19-0595
Nancy Porter	PPS19-0596
Andre S Powell	PPS19-0597
Galen Quinn	PPS19-0598
Cheryl R Richey	PPS19-0599
Eric Rubin	PPS19-0600
Melissa Ruiz	PPS19-0601
Lee H Russell	PPS19-0602
Barbara Scott	PPS19-0603
Steven Stosur	PPS19-0604
Michael Talone	PPS19-0605
Lisa Thomas	PPS19-0606
Scott L Thomas	PPS19-0607

Walter Thomas	PPS19-0608
Stephen M Troutz	PPS19-0609
Michele VonEisengrein	PPS19-0610
Joseph T Wachowski	PPS19-0611
Michael Walton	PPS19-0612
Roger White	PPS19-0613
Ann Wixom	PPS19-0614
Sandra Yade	PPS19-0615
Niel Young	PPS19-0616
Gina Zappia	PPS19-0617
Kim Zappia	PPS19-0618
Richard Zechiel	PPS19-0619
Dennis Dahlberg	PPS19-0691

as private process servers in the above-captioned matter. In support of said motion, Plaintiff/Petitioner states that the above-named individuals are on the Court's list of approved process servers and the information contained in their applications and affidavits on file is current and still correct.

Respectfully Submitted,  
/s/ Sarah C. Liesen  
Plaintiff/Petitioner's Signature

#### **ORDER FOR APPOINTMENT OF PRIVATE PROCESS SERVER**

It is hereby ordered that Petitioner/Plaintiff's Motion for Appointment of Private Process Server is sustained and the above named individuals are hereby appointed to serve process in the above captioned matter.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Judge or Circuit Clerk

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

☒ AT KANSAS CITY ☐ AT INDEPENDENCE

RE: TREVOR BASTON V SAINT LUKES PHYSICIAN GROUP ET AL  
CASE NO: 1916-CV31081

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EDELMAN LIESEN & MYERS LLP  
208 W LINWOOD BOULEVARD  
KANSAS CITY, MO 64111

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- ☐ Insufficient Filing Fee; Please Remit \$\_\_\_\_\_
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- ☐ No request to proceed in forma pauperis.
- ☐ No personal checks accepted.

**RULE 68.1**

- ☐ Need Circuit Court Form 17

☒ **OTHER:** Please remit a new Motion and Order for Process Server listing the defendant. Any questions, please call Cheryl at 881-1221.

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- ☐ The private process server listed is not on our approved list.
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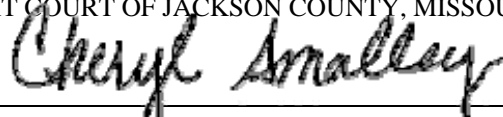
Copies electronic noticed, faxed, emailed and/or mailed DECEMBER 9, 2019 to:

COURT ADMINISTRATOR'S OFFICE  
DEPARTMENT OF CIVIL RECORDS  
CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

DECEMBER 9, 2019

Date

By



Deputy Court Administrator

- ☒ 415 East 12<sup>th</sup> St., Kansas City, Missouri 64106
- ☐ 308 W. Kansas, Independence, Missouri 64050



# IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

**TREVOR BASTON V SAINT LUKES PHYSICIAN GROUP ET  
AL**

**Case Number: 1916-CV31081  
DIV11**

## Notice of Case Management Conference

☒ **Case Management Conference** ☐ **Plea Hearing** ☐ **Pre-Trial** ☐ **Other**

This is to notify you that a Case Management Conference will be held in the Circuit Court of Jackson County, Missouri, on **February 19, 2020**, at **1:30 p.m.** in **DIV11**.

## Certificate of Mailing and/or Delivery

This will certify that a copy of the foregoing was hand delivered/faxed/emailed/mailed and/or sent through the eFiling system to the following:

**ALEXANDER EDELMAN, Attorney for Plaintiff, EDELMAN LIESEN & MYERS LLP, 208 W LINWOOD BOULEVARD, KANSAS CITY, MO 64111; aedelman@elmlawkc.com**

**DECEMBER 17, 2019**

**Date**

**Division 11 Law Clerk**

Case 4:20-cv-00106-SRB Document 1-1 Filed 02/14/20 Page 44 of 44